

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

GILBERTO GONZALEZ CRUZ
YVETTE MARTINEZ SANCHEZ

DEBTORS

CASE NO 18-04884 MCF

CHAPTER 13

**DEBTORS' REPLY TO TRUSTEE'S OBJECTION TO PROPOSED
PLAN CONFIRMATION UNDER SECTION 1325
DOCKET NO. 18**

TO THE HONORABLE COURT:

COMES NOW, GILBERTO GONZALEZ CRUZ and YVETTE MARTINEZ SANCHEZ, the Debtors in the above captioned case, through the undersigned attorney, and very respectfully state and pray as follows:

1. The Chapter 13 Trustee filed an unfavorable report on confirmation (Docket No. 18) of the Debtors' proposed Amended Chapter 13 Plan, Docket no. 14, basically stating the following:

- a. that the Debtors are \$170.00 in arrears in their Plan payments;
- b. that the proposed Plan is insufficiently funded;
- c. that the Debtors have failed to submit evidence of MetLife income in the amount of \$100.00; and
- b. that the Plan provides for payment in full as a secured claim to HOA Comunidad Parque Las Haciendas and said creditor has not filed a proof of claim (Claim No. 6 does not include a proof of claim).

2. That the Debtors hereby reply to the Trustee as follows:

- that the Debtors are up-to-date in their Plan payments to the Trustee, the \$170.00 amount in arrears was cured by the Debtors on November 30, 2018;
- that on 11/20/2018 the Debtors filed an Amended Chapter 13 Plan Docket No. 19, which Plan cures the insufficiently funded issue raised by the Trustee;
- that on 11/30/2018 the Debtors sent to the Trustee (uploaded to the Trustee's system) a copy of a letter issued by MetLife as evidence of a \$100.00 per month income payment; and

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---that on 11/20/2018 HOA Comunidad Parque Las Haciendas filed an Amended Claim No. 6-2, whereby the secured proof of claim for said creditor was duly filed and corrected.

4. The Debtors are up-to-date in the Plan payments to the Trustee.

5. Based on the aforementioned, the Debtors pray this Honorable Court grant the present motion in reply to the Trustee's unfavorable report on confirmation, Docket No. 18, in the above captioned case.

WHEREFORE the Debtors respectfully pray that the Trustee's unfavorable recommendation on confirmation (Docket No. 18) of the Debtors' proposed Amended Chapter 13 Plan (Docket No. 14), be denied.

I HEREBY CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by regular US mail a copy of this motion to the following participant: Debtors, Gilberto Gonzalez Cruz and Yvette Martinez Sanchez, in the above captioned case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 3rd day of December, 2018.

/s/ Roberto Figueroa Carrasquillo
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